



**City of Seattle**

Edward B. Murray, Mayor

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**Department of Planning & Development**

Diane M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3016982  
**Applicant Name:** Charlie Calvano  
**Address of Proposal:** 6201 33<sup>rd</sup> Avenue NE

**SUMMARY OF PROPOSED ACTION**

Land Use Application to change a 1,850 sq. ft. portion of an institution (Assumption Parrish Catholic Church) to a child care center for 20 children. No change in parking.

The following approval is required:

**Administrative Conditional Use** - To allow a Child Care Center (Pre-Kindergarten class) within an existing institution in a Single Family zone Seattle Municipal Code 23.44.022.

**SEPA DETERMINATION:** ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition, or involving another agency with jurisdiction.

## **BACKGROUND DATA**

### **Site and Vicinity Description**

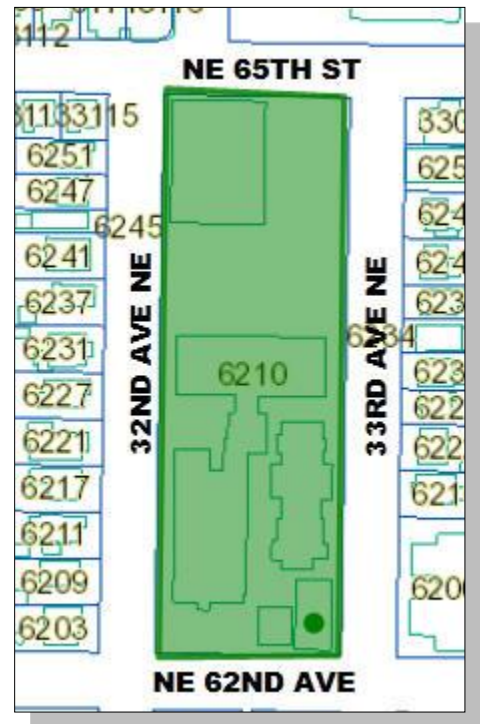
The full block site is bordered by NE 65<sup>th</sup> St on the north, NE 62<sup>nd</sup> St on the south, 33<sup>rd</sup> Ave NE on the east, and 32<sup>nd</sup> Ave NE on the west. Adjacent uses in the area include single family residences. The site is zoned Single Family 5000 (SF 5000).

### **Proposal Description**

Existing use of the site is a church and a school. The existing use of the structure in which the child care center is being incorporated into is a church use.

The proposed project is to include one (1) Pre-Kindergarten class space within the existing structure. This space would stay in its current condition. The square footage being modified is 1,850.

The Pre-Kindergarten class would include two (2) staff and up to twenty (20) students. Hours of operation would be late morning to early afternoon. (open for 4 hours per day to students) The new use would be operating at the same time in which the school is operating and only on days when school is in session.



### **Notice of Application and Comment Period**

The public comment period for this project ended on May 14<sup>th</sup> 2014. The Land Use Application information is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000<sup>1</sup>.

## **ANALYSIS - ADMINISTRATIVE CONDITIONAL USE**

The Seattle Land Use Code (SMC 23.44.022.A) provides that institutions such as community centers, child care centers, private schools, religious facilities, public or private libraries, and existing institutes for advanced study or other similar institutions may be permitted as conditional uses in single family zones. Sections 23.44.022 D through M sets forth criteria to be used to evaluate and/ or condition the proposal. The applicable criteria are discussed below.

### **D. General Provisions**

*New or expanding institutions in single family zones shall meet the development standards for uses permitted outright in Section 23.44.008 through 23.44.016 unless modified elsewhere in this subsection or in a Major Institution Master Plan.*

According to the plans submitted with the application, the proposal meets the applicable development standards found in Section 23.44.008 through 23.44.016.

<sup>1</sup> <http://www.seattle.gov/dpd/toolsresources/default.htm>

E. Dispersion

*The lot line of any proposed new or expanding institution, other than child care centers locating in legally established institutions, shall be located six hundred (600') or more from any lot line of any other institution in a residential zone, with certain exceptions.*

This criterion does not apply. The child care center is proposed within a legally established institution.

F. Demolition of Residential Structures

*No residential structure shall be demolished nor shall its use be changed to provide for parking.*

The proposed work does not include demolition of any residential structures.

G. Reuse of Existing Structures

*Existing structures may be converted to institution use if the yard requirements for institutions are met. Existing structures which do not meet these yard requirements may be permitted to convert to institution use, provided that the Director may require additional mitigating measures to reduce impacts of the proposed use on surrounding properties.*

The existing structure is already established as an institutional use.

H. Noise and Odors

*For the purpose of reducing potential noise and odor impacts, the Director shall consider the location on the lot of the proposed institution, on-site parking, outdoor recreational area, trash and refuse storage areas, ventilating mechanisms, sport facilities, and other noise generating and odor-generating equipment, fixtures or facilities. The institution shall be designed and operated in compliance with the Noise Ordinance, Chapter 25.08.*

*In order to mitigate identified noise and/or odor impacts, the Director may require measures such as landscaping, sound barriers or fences, mounding or berming, adjustments to yard or parking development standards, design modifications, setting hours of operation for facilities or other similar measures.*

Adding the child care center to the established institution is unlikely to add noise and/or odor impacts. There may be additional noise when children are escorted in and out of the preschool by their parents or guardians, however the additional noise level is expected to be minimal. Odor impacts due to vehicle activity are anticipated to remain approximately the same.

I. Landscaping

*Landscaping shall be required to integrate the institution with adjacent areas, reduce the potential for erosion or extensive stormwater runoff, reduce the coverage of the site by impervious surfaces, screen parking from adjacent residentially zoned lots or streets or to reduce the appearance of bulk of the institution.*

The proposal does not include any exterior changes to the structure or lot and no additional surface parking is being added. Therefore no landscaping mitigation is warranted under this proposal.

*J. Light and Glare*

*Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots. The Director may also require that the area and intensity of illumination, the location or angle of illumination be limited.*

According to the plans submitted no lighting is proposed. Therefore no lighting mitigation is warranted under this proposal.

*K Bulk and Siting*

*Lot Area: If the proposed site is more than one (1) acre in size, the Director may require the following and similar development standards:*

- a. For lots with unusual configuration or uneven boundaries, the proposed principal structures be located so that changes in potential and existing development patterns on the block or blocks within which the institution is located are kept to a minimum.*

This proposal does not impact development patterns therefore, this criterion is not applicable.

- b. For lots with large street frontage in relationship to their size, the proposed institution reflect design and architectural features associated with adjacent residentially zoned block faces in order to provide continuity of the block front and to integrate the proposed structures with residential*

The proposal does not change the design and architectural features of the existing façades. Therefore no mitigation is warranted under this proposal.

*Yards: Yards of institutions shall be as required for uses permitted outright in Section 23.44.008, provided that no such structure other than freestanding walls fences, bulkheads or similar structures shall be closer than ten feet (10') to the side lot line. The Director may permit yards less than ten feet (10') but not less than five feet (5 ft.) after finding that the reduced setback will not significantly increase impacts, including but not limited to noise, odor and comparative scale, to adjacent lots zoned residential and there will be a demonstrable public benefit.*

According to the plans submitted with the application, the proposal meets the applicable development standards found in Section 23.44.008 through 23.44.016.

*Institutions Located on Lots in More Than One (1) Zone Classification: For lots which include more than one (1) zone classification, single-family zone provisions shall apply only to the single-family-zoned lot area involved.*

The subject lot is located within a single-family-zone classification and zoning regulations apply to the respective property in which the area is found.

*Height: Religious symbols for religious institutions may extend an additional twenty-five (25') above the height limit.*

According to the submitted site plan, no additional religious symbol is proposed. Height will meet zoning regulations.

*For gymnasiums and auditoriums that are accessory to an institution the maximum height shall be thirty-five (35) feet if portions of the structure above thirty-five (35) feet are set back at least twenty (20) feet from all property lines. Pitched roofs on a gymnasium or auditorium which have a slope of not less than three to twelve (3:12) may extend ten (10) feet above the thirty-five (35) foot height limit. No portion of a shed roof on a gymnasium or an auditorium shall be permitted to extend beyond the thirty-five (35) foot height limit under this provision.*

There is no proposed gymnasium.

*Facade Scale: If any facade of a new or expanding institution exceeds thirty feet (30') in length, the Director may require that facades adjacent to the street or a residentially zoned lot be developed with design features intended to minimize the appearance of the bulk. Design features which may be required include, but are not limited to, modulation, architectural features, landscaping or increased yards.*

No new or changed facades are proposed.

**L. Parking and Loading Berth Requirements**

*c.) SMC 23.44.022.L provides that the Director may modify the parking and loading requirements of Section 23.54.15, required parking, and the requirements of Section 23.44.016, parking location and access, on a case by case basis using the information contained in the transportation plan prepared pursuant to Subsection M of this section. The modification shall be based on adopted City Policies and shall:*

- i. Provide a demonstrable public benefit such as, but not limited to, reduction of traffic on residential streets, preservation of residential structures, and reduction of noise, odor, light and glare; and*
- ii. Not cause undue traffic through residential streets nor create a serious safety hazard.*

The existing vehicle spaces meet the parking requirements of SMC 23.54.015.

**M. Transportation Plan**

*A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of the structure area and/or required to provide twenty (20) or more spaces.*

A transportation Plan is not required.

**Conditional Use (23.44.018) General Provisions**

*C. A conditional use may be approved, conditioned or denied based on a determination of whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.*

The Department recognizes the public benefit achieved by providing child care center's single family zones, but establishes the conditional use process as a mechanism for mitigating likely impacts related to the uses. Based on the proposed design, scale, and location, the proposal is determined to not be detrimental to the public welfare or injurious to the properties in the vicinity.

*D. In authorizing a conditional use, the Director or Council may mitigate adverse negative impacts by imposing requirements and conditions deemed necessary for the protection of other properties in the zone or vicinity in which the property is located.*

According to the plans submitted with the application, the proposal meets the applicable development standards found in Section 23.44.008 through 23.44.016. The child care center use/proposal has been evaluated against the applicable criteria noted/discussed above and no mitigation is warranted.

#### **DECISION - ADMINISTRATIVE CONDITIONAL USE**

The proposal is consistent with Administrative Conditional Use criteria and the Land Use Policies which allow this type of use to be expanded in single family zones.

The conditional use application is **APPROVED**.

#### **CONDITIONS - ADMINISTRATIVE CONDITIONAL USE**

No conditions imposed.

Signature: \_\_\_\_\_ (signature on file) Date: June 23, 2014  
Colin R. Vasquez, Senior Land Use Planner

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